



Haddon, Morgan and Foreman, P.C.
Jeffrey S. Pagliuca

150 East 10th Avenue
Denver, Colorado 80203
PH 303.831.7364
FX 303.832.2628
www.hmflaw.com
jpagliuca@hmflaw.com

November 28, 2021

VIA EMAIL

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Ghislaine Maxwell*, 20 Cr. 330 (AJN)

Dear Judge Nathan,

On behalf of our client, Ghislaine Maxwell, we respectfully submit this letter in response to the government's letter, dated November 27, 2021, seeking to preclude certain topics of cross-examination.¹ The defense does not intend to cross-examine Accuser-1 or Accuser-2 about their past drug use unless their testimony opens the door to such cross-examination. Similarly, the defense does not intend to cross-examine Accuser-1 about her sister's allegations and the visit from child services unless the witness's testimony opens the door to such cross-examination.

However, Accuser-1's brother, who is a testifying witness, told the government less than three weeks ago that Accuser-1 is "spiraling" and drinking and possibly taking prescription

¹ Pursuant to our established protocol, the defense is submitting this letter to the Court under temporary seal to allow the government to propose any appropriate redactions.

The Honorable Alison J. Nathan

November 28, 2021

Page 2

drugs. *See* 3510-013. Her brother was concerned enough about what he observed that he requested that the government provide support services for Accuser-1. *See id.* The defense should be permitted to cross-examine Accuser-1 about this recent drug use because it is relevant to her ability to recall the events in question accurately. As the government concedes, it is “within the proper scope of cross-examination to determine whether a witness was under the influence of drugs or narcotics or alcohol at the time of observation of events in dispute *or at the time the witness is testifying.*” *See* Gov’t Ltr. at 3 (quoting the Court’s 11/22/21 Memorandum Opinion & Order at 11 (emphasis added)).

Respectfully submitted,



Jeffrey S. Pagliuca

CC: Counsel of Record